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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
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13 Plaintiff,
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15 v.
16 JULIO CHAVEZ-LUCATERO,
17 Defendant.

CASE NO. 1:20-CR-00062-JLT-SKO
STIPULATION TO CONTINUE MOTION
HEARING; ORDER

DATE: February 13, 2023
TIME: 10:00 a.m.
COURT: Hon. Jennifer L. Thurston

18 **STIPULATION**

19 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
20 through defendant's counsel of record, hereby stipulate as follows:

21 1. By previous order, this matter was set for a hearing on the motion to suppress on
22 February 13, 2023.

23 2. By this stipulation, defendant and government now move to continue the hearing on the
24 motion to suppress conference until March 13, 2023. Time has been excluded to and through January
25 30, 2024.

26 3. The parties agree and stipulate, and request that the Court find the following:

27 a) The parties are actively working on settling the matter short of litigating the
28 motion to suppress filed in this matter. A plea agreement has been sent and a counter-offer

made.

b) Counsel for the government and defendant Chavez-Lucatero desire additional time to continue to engage in plea negotiations and finalize a plea agreement.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 9, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ LAUREL J. MONTOYA
LAUREL J. MONTOYA
Assistant United States Attorney

Dated: February 9, 2023

/s/ MARC DAYS
MARC DAYS
Counsel for Defendant
JULIO CHAVEZ-LUCATERO

FINDINGS AND ORDER

IT IS SO FOUND.

IT IS SO ORDERED.

Dated: **February 9, 2023**


UNITED STATES DISTRICT JUDGE